
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, JUNE 15, 2021.

[55]*

JOURNAL OF THE HOUSE.

Tuesday, June 15, 2021.

Met according to adjournment at eleven o'clock A.M., under emergency rules, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Prayers.

During the session (Ms. Hogan of Stow being in the Chair), at the request of Representative Soter of Bellingham, the members and employees stood in a moment of silent tribute to the memory of Susan Bourassa, a resident of Millville, who passed away on Saturday, May 1st after a brave battle with pancreatic cancer. Susan worked for the Blackstone-Millville Regional School District in food services for 25 years, as well as the Boys and Girls Club in Blackstone as a coordinator for the "before school program" and a cook for the summer program. She had a passion for cooking, birds, and putting a smile on the faces of those she came in contact with.

Susan
Bourassa.

Susan is survived by her husband: Walter Bourassa, her brother: Geoffrey Wing and his wife Deborah of Uxbridge, her nephews: Kevin Wing, Stephen Wing and his wife Stephanie and Keith Wing and his wife Jen Dean.

During the session (Mr. Donato of Medford being in the Chair), at the request of Representatives Khan of Newton and Balser of Newton, the members and employees stood in a moment of silent tribute to the memory of Audrey Cooper, age 97, who passed away May 22, 2021, at her home in West Newton. Service to others was extraordinarily important to Audrey. She and her late husband David were pioneers in the city, helping to establish early childcare and afterschool programs. She chaired the Board of Trustees of the Newton Free Library, Co-chaired a steering committee to establish the Newton Senior Center, and with husband David were founding members of Temple Shalom of Newton.

Audrey
Cooper.

A Democrat always, Audrey, served on the Executive Committee of the Newton Democratic City Committee for many years. Recognized most meaningfully to her was the Newton Human Rights award and the Unsung Heroines of Massachusetts award presented by the Massachusetts Commission on the Status of Women.

Born in 1924, Audrey grew up in Brookline, graduated from Brown University, and lived for more than 70 years in Newton. Audrey was dearly loved by all who knew her.

Resolutions.

Resolutions (filed with the Clerk by Mr. Arciero of Westford) congratulating Everett V. Olsen, Jr., on his fifty-one year long career as an educator, were referred, under Rule 85, to the committee on Rules.

Everett
Olsen.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Vitolo of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

The following additional petitions (having been deposited in the office of the Clerk of the House, previously to five o'clock in the afternoon on Friday, February 19, 2021) were referred, under Rule 24 and Joint Rule 13, as follows:

By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 3876) of Marjorie C. Decker for legislation to ban school exclusion in pre-kindergarten through 3rd grade.

Schools,—
exclusion.

By Ms. Nguyen of Andover (by request), a petition (accompanied by bill, House, No. 3877) of Maya Schildkraut and Ivy Michaud relative to health programs in schools.

Schools,—
health
programs.

Severally to the committee on Education.

By Ms. Sullivan of Abington, a petition (accompanied by bill, House, No. 3878) of Alyson M. Sullivan and others relative to establishing identification at the voting polls. To the committee on Election Laws.

Voting,—
identification.

By Mr. Ayers of Quincy, a petition (accompanied by bill, House, No. 3879) of Bruce J. Ayers relative to Long and Moon Islands in Boston Harbor. To the committee on Environment, Natural Resources and Agriculture.

Boston
Harbor,—
islands.

By Mr. Driscoll of Milton, a petition (accompanied by bill, House, No. 3880) of William J. Driscoll, Jr., relative to step therapy and in vitro fertilization insurance coverage.

In vitro
fertilization,—
insurance.

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 3881) of Kay Khan and others relative to insurance coverage and access to nurse-midwifery services.

Nurse-
midwives,—
insurance.

Severally to the committee on Financial Services.

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 3882) of Chynah Tyler for legislation to a review of the impact and effectiveness of facility programming by the Department of Correction including a special commission (including members of the General Court) relative to the effects of health care in department facilities and a special commission (including members of the General Court) relative to the effects of confinement in the departmental disciplinary unit on the mental health and wellness of prisoners. To the committee on the Judiciary.

Corrections,—
commissions.

By Mr. McKenna of Webster, a petition (accompanied by bill, House, No. 3883) of Joseph D. McKenna relative to municipalities that own land that is located within the geographical bounds of another municipality. To the committee on Municipalities and Regional Government.

Municipalities,—
land.

By Mr. Ayers of Quincy, a petition (accompanied by bill, House, No. 3884) of Bruce J. Ayers for an investigation by a special commission (including members of the General Court) to study the use, disposal, and potential re-use of durable medical equipment in hospitals and care facilities under the jurisdiction of the Commonwealth. To the committee on Public Health.

Durable
medical
equipment.

By Mr. Cassidy of Brockton, a petition (accompanied by bill, House, No. 3885) of Gerard J. Cassidy for legislation to require public safety vehicles to be equipped with emergency thermal blankets.	Emergency thermal blankets.
By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 3886) of Chynah Tyler relative to the spread of COVID-19 in correctional facilities.	COVID-19,— corrections.
Severally to the committee on Public Safety and Homeland Security.	
By Mr. Golden of Lowell, a petition (accompanied by order, House, No. 3887) of Thomas A. Golden, Jr., that the committee on Telecommunications, Utilities and Energy conduct a study on the opportunities for sustainable and cost-effective market deployment of renewable natural gas and low-carbon fuels to reduce emissions associated with the supply of natural gas for heating.	Natural gas,— study.
By the same member, a petition (accompanied by bill, House, No. 3888) of Thomas A. Golden, Jr., and others relative to the purchase of new and pre-owned electric vehicles.	Electric vehicles.
Severally to the committee on Telecommunications, Utilities and Energy.	
By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 3889) of Sarah K. Peake and Timothy R. Whelan relative to transfers of motor vehicles on death. To the committee on Transportation.	Motor vehicles,— transfer.
Severally sent to the Senate for concurrence.	
Petitions severally were presented and referred as follows:	
By Ms. Cronin of Easton, a petition (accompanied by bill, House, No. 3890) of Claire D. Cronin and Walter F. Timilty (by vote of the town) that the town of Easton be authorized to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.	Easton,— liquor license.
By Ms. Ciccolo of Lexington, a petition (accompanied by bill, House, No. 3891) of Michelle L. Ciccolo (by vote of the town) that the town of Lexington be authorized to establish a commercial linkage fee to certain commercial construction building permits issued by said town for the purpose of affordable housing. To the committee on Housing.	Lexington,— affordable housing.
By Representative Ciccolo of Lexington and Senator Friedman, a joint petition (accompanied by bill, House, No. 3892) of Michelle L. Ciccolo and Cindy F. Friedman (by vote of the town) that the town of Lexington be authorized to establish transit improvement districts;	Lexington,— transit improvement.
By Ms. Ciccolo of Lexington, a petition (accompanied by bill, House, No. 3893) of Michelle L. Ciccolo and Cindy F. Friedman (by vote of the town) that the town of Lexington be authorized to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction; and	Lexington,— regulation restriction.
By Ms. Peisch of Wellesley, a petition (accompanied by bill, House, No. 3894) of Alice Hanlon Peisch (by vote of the town) relative to investment of certain trust funds in the town of Weston;	Weston,— trust funds.
Severally to the committee on Municipalities and Regional Government.	
Severally sent to the Senate for concurrence.	

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 2473) of Cynthia Stone Creem and Tommy Vitolo (by vote of the town) for legislation to authorize the town of Brookline to adopt and enforce local regulations restricting new fossil fuel infrastructure in	Brookline,— construction.
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certain construction, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules, that Joint Rule 7B be suspended on the petition of Sally P. Kerans and Joan B. Lovely (by vote of the town) relative to the town of Danvers Electric Light Division. Under suspension of the rules, on motion of Mr. Vitolo of Brookline, the report was considered forthwith. Joint Rule 7B then was suspended; and the petition (accompanied by bill) was referred to the committee on Telecommunications, Utilities and Energy. Sent to the Senate for concurrence.

Danvers
Electric Light
Division.

By Ms. Ehrlich of Marblehead, for the committee on Municipalities and Regional Government, on Senate, No. 1320 and House, No. 2184, a Bill relative to emergency action on FEMA flood insurance rate maps (House, No. 2184). Read; and referred, under Rule 33, to the committee on Ways and Means.

Flood
insurance.

By Ms. Ehrlich of Marblehead, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the city of Greenfield to lease a certain parcel of land (House, No. 2189, changed in line 1 by inserting after the word “contrary,” the following: “but subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws,” and in line 7 by striking out the following: “book 7342, page 175” and inserting in place thereof the following: “book 6031, page 200”) [Local Approval Received].

Greenfield,—
land.

By the same member, for the same committee, on a joint petition, a Bill amending the special act charter of the city of Northampton (House, No. 2202) [Local Approval Received].

Northampton,—
charter.

By the same member, for the same committee, on a petition, a Bill relative to remote town meetings (House, No. 2210).

Remote town
meetings.

By the same member, for the same committee, on a joint petition, a Bill amending the charter of the town of Grafton (House, No. 3705) [Local Approval Received].

Grafton,—
charter.

By the same member, for the same committee, on a petition, a Bill regulating the membership of the Board of Trustees of the Woburn Public Library Corporation (House, No. 3820) [Local Approval Received].

Woburn,—
library board.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Quorum.

As required under the provision of Emergency Rule 2(4), a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 160 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 43.

[See [Yea and Nay No. 43](#) in Supplement.]

Therefore a quorum was present.

Orders of the Day.

The Senate Bill relative to extending certain COVID-19 measures adopted during the state of emergency (Senate, No. 2472, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. DeCoste of Norwell moved to amend it by striking out sections 14 to 18, inclusive; and by striking out sections 29 and 30; and the amendments were rejected.

Representatives Barber of Somerville and Murray of Milford then moved to amend the bill by inserting after section 27 the following section:

“SECTION 27A. Notwithstanding sections 80, 80A and 80B of chapter 112 of the General Laws or any other general or special law to the contrary, a student who graduated from a registered nursing or practical nursing program approved by the board of registration in nursing established under section 13 of chapter 13 of the General Laws or who is a senior nursing student attending the last semester of a registered nursing or practical nursing program approved by the board may practice nursing and shall not be subject to the prohibitions against the unlicensed practice of nursing under said sections 80, 80A and 80B of said chapter 112; provided, however, that: (i) the individual is employed by or providing health care services at the direction of a licensed health care facility or a licensed health care provider; (ii) the individual is directly supervised while providing health care services; (iii) the health care services are provided in response to the COVID-19 outbreak; and (iv) the employing licensed health care facility or licensed health care provider has verified that the individual is a graduate of a registered nursing or practical nursing program approved by the board or that the individual is a senior nursing student attending the last semester of a registered nursing or practical nursing program approved by the board.

The board of registration in nursing shall issue guidance to implement this section, which shall include guidance regarding the appropriate supervision of nursing students.”; and

By striking out section 28 and inserting in place thereof the following section:

“SECTION 28. Sections 23, 24, 25 and 27A are hereby repealed.”.

The amendments were adopted.

Mr. Cahill of Lynn then moved to amend the bill by inserting after section 27A (inserted by amendment) the following section:

“SECTION 27B. Notwithstanding any other general or special law or regulation to the contrary, a pharmacist or pharmacy intern licensed by the board of registration in pharmacy and in good standing with the board may administer methadone and buprenorphine as medication for the treatment of opioid use disorder in federally certified and Bureau of Substance Addiction Services licensed opioid treatment programs and certified acute treatment services pursuant to a qualified practitioner’s order; provided, however, that administration of methadone and buprenorphine as medication for the treatment of opioid use disorder drugs shall be conducted in accordance with federal Substance Abuse and Mental Health Services Administration regulations, 42 CFR Part 8 and the policies and procedures established in accordance with 105 CMR 164.000 et seq; and provided further, that prior to administering drugs under this section, a pharmacist or pharmacy intern shall receive training in federal confidentiality regulation.”;

By inserting after section 28 the following section:

“SECTION 28A. Section 27B are [sic] hereby repealed.”; and

By inserting after section 31 the following section:

“SECTION 32. Section 28A shall take effect on April 1, 2022 or 10 days following the revocation of the United States declaration of a national emergency concerning the novel coronavirus diseases, whichever is earlier.”.

The amendments were adopted.

Ms. Peisch of Wellesley and other members of the House then moved to amend the bill in section 23 by adding the following:

“(f) Notwithstanding said section 20 of said chapter 30A, if this section does not take effect until after June 15, 2021, a public body may provide for remote meetings as specified in this section and any action taken thereof shall be ratified, validated and confirmed as if this section had been in place.”.

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Wagner of Chicopee; and on the roll call 146 members voted in the affirmative and 14 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 44.

[See [Yea and Nay No. 44](#) in Supplement.]

Therefore the bill (Senate, No. 2472, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House [for text of amendment, see House document numbered 3874].

Recess.

At twenty-three minutes before one o’clock P.M., on motion of Ms. Hogan of Stow (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-nine minutes after four o’clock the House was called to order with Ms. Hogan of Stow in the Chair.

Recess.

Papers from the Senate.

The Senate Bill relative to extending certain COVID-19 measures adopted during the state of emergency (Senate, No. 2472, amended), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3874).

COVID-19
measures,—
extension.

The bill bore the further endorsement that the Senate had appointed a committee of conference on the disagreeing votes of the two branches; and that Senators Rodrigues, Friedman and O’Connor had been appointed to the committee on the part of the Senate.

Conference
committee.

On motion of Mr. Michlewitz of Boston, the House insisted on its amendment; and concurred with the Senate in the appointment of a committee of conference. Representatives Michlewitz, Wagner of Chicopee and Smola of Warren were appointed the committee on the part of the House. Sent to the Senate to be noted.

Id.

At a half past four o’clock P.M., on motion of Mr. Wong of Saugus (Ms. Hogan of Stow being in the Chair), the House recessed subject to the call of the Chair; and at eleven minutes after eight o’clock the House was called to order with Ms. Hogan in the Chair.

Recess.

Mr. Jones of North Reading thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Ms. Hogan), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 158 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 45.

[See [Yea and Nay No. 45](#) in Supplement.]

Therefore a quorum was present.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3874) of the Senate Bill relative to extending certain COVID-19 measures adopted during the state of emergency (Senate, No. 2472, amended), recommending passage of a bill with the same title (Senate, No. 2475), came from the Senate with the endorsement that it had been accepted by said branch; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

COVID-19
measures,—
extension.

Mr. Honan of Boston, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the Rule 7A, on motion of Mr. Michlewitz of Boston, the report was considered forthwith; and it was accepted.

Emergency Measure.

The engrossed Bill relative to extending certain COVID-19 measures adopted during the state of emergency (see Senate, No. 2475), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

COVID-19
measures,—
extension.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 20 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, as required under the provisions of Emergency Rule 2(a)(5)(ii); and on the roll call 150 members voted in the affirmative and 10 in the negative.

Bill
enacted,—
yea and nay
No. 46.

[See [Yea and Nay No. 46](#) in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

At six minutes before nine o'clock P.M., on motion of Mr. Jones of North Reading (Ms. Hogan of Stow being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.